



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]

DECISION

CTS/142336

PRELIMINARY RECITALS

Pursuant to a petition filed July 13, 2012, under Wis. Stat. § 227.42, to review a decision by the Milwaukee Enrollment Services in regard to Medical Assistance, a hearing was held on August 16, 2012, at Milwaukee, Wisconsin.

There is no issue for determination at this time.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703
By: Katherine Way
Milwaukee Enrollment Services
1220 W Vliet St
Milwaukee, WI 53205

ADMINISTRATIVE LAW JUDGE:

Debra Bursinger
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Milwaukee County.
2. On January 9, 2012, the Petitioner filed an application for Caretaker Supplement (CTS) benefits. Petitioner has two minor children.

3. On January 10, 2012, the Petitioner's application for CTS benefits was approved. A notice of Decision was issued to the Petitioner notifying her that she would receive \$400/month effective January, 2012. The notice indicated that the Petitioner had the right to appeal the agency determination by February 27, 2012.
4. On February 23, 2012, the agency issued a notice of decision indicating there have been no changes to the Petitioner's CTS benefits.
5. On July 13, 2012, a renewal application was processed for Petitioner's CTS benefits. A determination was made that the Petitioner remains eligible for \$400/month in CTS benefits through July 31, 2013.
6. On July 16, 2012, the agency issued a notice of decision indicating there have been no changes to the Petitioner's CTS benefits.
7. On July 13, 2012, the Petitioner filed an appeal with the Division of Hearings and Appeals.

DISCUSSION

A determination was made by the agency on January 10, 2012 that the Petitioner is eligible for \$400/month in CTS benefits. This represents the maximum benefit that is available to the Petitioner for two children. No changes have been made to that determination by the agency since that time. The agency has determined that the Petitioner will continue to be eligible for the benefits through at least July 31, 2013. Apparently, there was some delay with regard to the benefits but the agency corrected that issue and the Petitioner has received the monthly benefits to which she is entitled.

Because there has been no negative action, the agency corrected the problem which resulted in delayed benefits and the Petitioner is receiving the maximum CTS benefit to which she is entitled, there is no issue for determination at this time.

CONCLUSIONS OF LAW

There is no issue for determination.

THEREFORE, it is

ORDERED

That the petition be, and hereby is, dismissed.

REQUEST FOR A REHEARING

This is a final administrative decision. If you think this decision is based on a serious mistake in the facts or the law, you may request a rehearing. You may also ask for a rehearing if you have found new evidence which would change the decision. Your request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and tell why you did not have it at your first hearing. If you do not explain these things, your request will have to be denied.

To ask for a rehearing, send a written request to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy of your request to the other people named in this decision as "PARTIES IN INTEREST." Your request for a rehearing must be received no later than 20 days after the date of the decision. Late requests cannot be granted.

The process for asking for a rehearing is in Wis. Stat. § 227.49. A copy of the statutes can be found at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the appropriate court no more than 30 days after the date of this hearing decision (or 30 days after a denial of rehearing, if you ask for one).

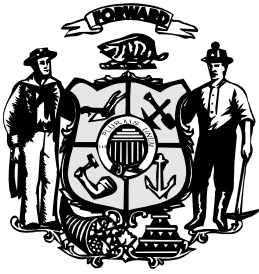
For purposes of appeal to circuit court, the Respondent in this matter is the Department of Health Services. After filing the appeal with the appropriate court, it must be served on the Secretary of that Department, either personally or by certified mail. The address of the Department is: 1 West Wilson Street, Room 651, Madison, Wisconsin 53703. A copy should also be sent to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400.

The appeal must also be served on the other "PARTIES IN INTEREST" named in this decision. The process for appeals to the Circuit Court is in Wis. Stat. §§ 227.52 and 227.53.

Given under my hand at the City of Milwaukee,
Wisconsin, this 31st day of October, 2012

Debra Bursinger
Administrative Law Judge
Division of Hearings and Appeals

c: Milwaukee Enrollment Services - email
Department of Health Services - email



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on October 31, 2012.

Milwaukee Enrollment Services
Division of Health Care Access and Accountability